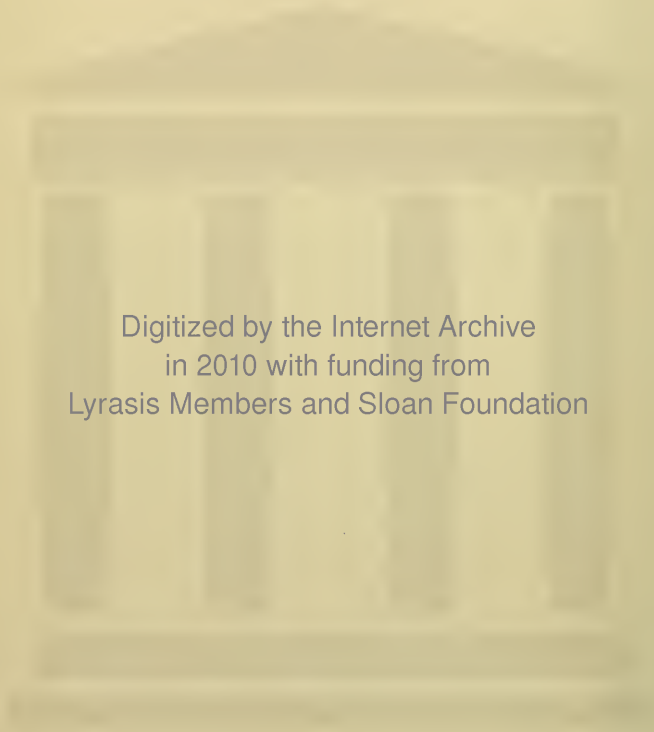

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[DOCUMENT A.]

BY THE SENATE, JANUARY 7, 1856.

Read and ordered to be printed.

By order,

C. HARWOOD, Secretary,

# MESSAGE

OF THE

# EXECUTIVE OF MARYLAND,

TO THE

# GENERAL ASSEMBLY OF MARYLAND.

Maryland
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1856
Senate

# MESSAGE.

FELLOW CITIZENS OF THE

SENATE, AND HOUSE OF DELEGATES:

At the period designated by the Constitution you have met in Legislative Session, to administer the high and responsible trusts confided to your care by the people of Maryland, in the maturing of such measures as may in your judgment be considered necessary for the advancement of the public good.

I have great pleasure in congratulating you, upon the highly favorable auspices under which you are thus assembled, emanating from the unembarrassed condition of the Finances of the State, and the general prosperity which pervades every department of business and industry. Coming to the discharge of your Constitutional duties directly from the people, and from recent intimate association with your respective constituencies, doubtless, familiar with their necessities and wishes, I indulge the hope, that your deliberations may result in the adoption of measures, calculated to promote, in a great degree, the permanent prosperity, and welfare of the State.

Since the General Assembly last convened, two more fleeting, but eventful years have glided into the past, leaving behind them, for our guidance and instruction, their enduring record of good and evil.

Probably no similar period within the present century has been characterized by political events of greater magnitude, than those which have marked the last two years, involving, as they do, in their consequences, the future condition and destiny of so great a portion of the human family.

The fearful struggle for supremacy and power, between the prominent Governments of Europe, is still being waged with unabated ferocity, shaking Europe to its very centre, and threatening to draw within its terrible vortex, the entire Continent. The heart saddens at the contemplation of the awful sacrifice of human life, which has already marked the progress of this the most desolating and disastrous war of modern times; no human intellect can predict the amount of blood yet to flow in this desperate and

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deadly struggle, or the sum of misery it is destined to entail upon our race. How profound should be our sense of gratitude when we reflect, that while this flame and cloud of battle, have been suffered to hang in gloom above the heads of our brethren in other climes, casting their dismal shadows of death and suffering over so many hitherto peaceful and happy hearts and homes, we, by the favor of a merciful Providence, have been permitted to move onward, by the steady light of our Free Institutions, in our high career of development and progress, in the midst of peace and plenty, blessed with a steady improvement in all the means of social and political elevation and expansion, and bearing around and about us the unmistakable indicia of national prosperity and glory.

We have had it is true, in some sections of the Union, particularly during the year 1854, an occasional monetary or financial pressure, but in the main, the occupations and pursuits of private life, have shewn signs of great activity and prosperity. Agriculture, the first and most important of all vocations, especially during the past year, has prospered in a remarkable degree; abundant yields of the varied fruits of the earth have richly rewarded the patient toils of the husbandman, while Commerce and the Mechanic Arts, have grown and flourished with new vigor, and the genius of prosperity sits smilingly on every department of human labor. Standing now upon the threshold of another year, we can look forward with high and confident hope that it will be distinguished by an unexampled degree of business activity and prosperity.

Nor is this all; the people of Maryland have not only shared equally with their sisters of the Confederacy, tn these general blessings, so profusely shed upon the whole republic, but have been most signally favored by heaven, in an exemption from those public calamities and diseases which have bowed down in sorrow so many hearts in other sections of the Union. While on our very borders, pestilential disease has stalked, with a degree of malignancy almost without a parallel in our history, nearly decimating the population of two sister cities in the neighboring State of Virginia, opening up, the bitter fountains of sorrow in every household, and hanging the drapery of death and mourning at almost every door; we have been favored with an unusual share of that greatest of all earthly blessings, health. To us were assigned, the sad though grateful offices of charity and love, and the privilege of contributing from our abundance, the means of assuaging, as far as human aid could assuage, the poignancy of that sorrow which wrung the hearts of this pestilence scourged people in the dark hour of their awful affliction. That heart must indeed be cold and hardened, lost to all sense of gratitude, that in the contemplation of these great mercies, is not lifted up, in grateful praise and thanksgiving to Almighty God, for such marked evidences of his infinite mercy and kindness.

By the report of the Comptroller made to me by that officer, showing the state of the Treasury Department at the end of the fiscal year, 1854, it appears that the aggregate receipts into the Treasury for that year ending 30th of September, amounted to $1,208,347.39, which with the sum of $345,357.80, the balance in the Treasury at the close of the preceding year 1853, made the total sum in the Treasury from all sources, during the fiscal year 1854, $1,553,705.19. The public expenditures for the same period were $1,175,581.21 leaving a balance in the Treasury on the 30th September, 1854, of $378,123.98, subject to the payment of subsisting demands, amounting in the aggregate to $268,177.87; leaving in the Treasury at the termination of the year, applicable to future demands a nett balance of $109,-946.11.

On the 30th September, 1853, there remained in the Treasury to the credit of the Free School Fund a balance of $30,802.66, and at the close of the fiscal year 1854, there had been received from all sources of revenue applicable to that fund the sum of $75,235.18. The expenditures on that account for the same period were $64,610.18, leaving at the close of the year, a balance on hand to the credit of that Fund, of $41,427.76. Among the sums received on account of said Fund, it appears, from the statement of the Comptroller, was the sum of $9,300 received of the Farmers' Bank of Maryland, from the reduction which took place under the act of 1854, Chapter 78, of two-fifths of so much of the Stock of the said Bank, as stood to the credit of the Treasurer of the Western Shore, for the use of the said Fund.

The Legislature made no provision for the investment of these funds, and they have been invested by the Treasurer in six per cent. stock of the State. This investment was made with the sanction of the Comptroller, who suggests that some legislative provision should be made by you, ratifying and confirming the same. I respectfully recommend the suggestion of that officer to your favorable notice.

At the close of the fiscal year 1853, there remained in the Treasury, to the credit of the Sinking Fund, the sum of $1,117.-77. During the year ended 30th September, 1854, there was received into the Treasury to be accredited to that fund, the sum of $284,473.58, which together with the balance on hand at the end of the year 1853, as above stated, show an aggregate sum of $285,591.35, which entire sum was disbursed, during the fiscal year 1854, in investments for the use of that fund, so that at the close of the year, there was no balance whatever standing to the credit of that fund.

The stock of the State belonging to this fund at the termination of the fiscal year 1853, amounted to $2,870,704.71, and there was purchased therefor during that of 1854, additional stock to the amount of $287,931.82, so that the sum total of State stock held

by the Sinking Fund, at the end of the fiscal year 1854, was $3,158,637.53.

The report of the Comptroller for the fiscal year just ended, will furnish you in detail, the operations of the Treasury Department for that period; I shall trouble you with but an outline only, of the same, for the purpose of laying a proper basis for the adoption of some of the measures, which I have considered it my duty to recommend to your consideration.

There was received into the Treasury, in the fiscal year ending the 30th September, 1855, from all sources the sum of $1,200,762.58, to which is to be added the balance in the Treasury at the end of the preceding year, amounting to the sum of $378,123.98, making the aggregate receipts for the year 1855, $1,578,886.58.

The disbursements of the Treasury for the year ended 30th September, 1855, were in the aggregate $985,964.53, leaving remaining in the Treasury at the end of the year, applicable to future demands, the sum of $592,922.03.

There was received into the Treasury during the fiscal year 1855, on account of the Sinking Fund the sum of $263,025.87, all of which said sum was during the same period, disbursed in investments for the use of the same. The amount of stock standing to the credit of the Sinking Fund on the 30th September, 1854, was $3,158,637.53, and the amount added to the same, during the year 1855, was $268,112.42, so that the aggregate value of the stock standing to the credit of that Fund at the close of the year 1855 is $3,426,749.95.

At the close of the fiscal year of 1855, the aggregate of the Public Debt of the State, was $15,132.909.00. Of this amount the Baltimore & Ohio Rail Road Company, pays the interest upon $3,200,000.00, the Susquehanna and Tide Water Canals, furnish the means for paying the interest of $1,000,000, and the Northern Central Rail Way Company hereafter furnish money to pay interest upon $1,500.000, leaving to be derived from other sources, interest on the sum of $9,432,909.00.

The Sinking Fund, as hereinbefore shown, holds of this debt $3,426,749.95, of which amount, so held by the Sinking Fund, there was purchased, during the last two years $556,045.24, and there has been called in for redemption, and paid for out of the surplusses in the Treasury, for those two years the amount of $211,-433.31, so that during the last two years there has been absorbed of the Public Debt, absolutely, by cancellation and redemption, the sum of $211,433.31, and virtually by purchase, for the Sinking Fund, the further sum of $556,045.24, making an absorption, actual and virtual, of $767,478.55, within that period.

No citizen of Maryland can contemplate this exhibit of the finances of the State, without experiencing the sincerest gratification. What a contrast is presented, between its condition now, and the humiliating position it occupied but a few years ago?

Then we stood trembling upon the very verge of State insolvency, repudiation and dishonor; now owing to the public virtue, and indomitable energy by which the integrity of the State has been vindicated, and our plighted faith honorably maintained, we not only behold the dawn of our deliverance, but the broad open day is clearly in our view, revealing to us a prosperous future and animating laudably the pride of every citizen of the State. Let but the same spirit that has animated our people, be continued, accompanied by that spirit of retrenchment and economy, that should ever shape and direct public measures, and but a few more years will elapse, before their toils and sacrifices for the preservation of the public credit, will be abundantly rewarded by the rich fruition of their highest hopes. Wave after wave of public prosperity is bearing us farther and farther from the receding shores of insolvency and dishonor; the day is not far distant when the demands of the public creditors, shall all have been cancelled to the last farthing, when the fetters fastened upon us by a vast indebtedness, shall be broken, and the State shall stand once more erect, in its own unborrowed strength, relieved finally of the galling thraldom of public debt.

The Treasury for many years, has not exhibited such a condition of soundness, justifying such cheering hopes with regard to the future. Our public debt is now a manageable affair, completely within our grasp, and under our control; nothing short of some great public calamity, can occasion us further embarrassment.

It gives me a high degree of gratification to state that the various public works in which the interest of the State is so largely concerned, have participated to a very considerable extent in the general prosperity of the Country. The operations of the principal of them, to wit: the Baltimore & Ohio Rail Road Company, and the Northern Central Rail Way Company have been characterized by a degree of success which encourages the most cheering anticipations.

From the twenty-ninth annual report of the President and Directors of the Baltimore & Ohio Rail Road Company, we learn that this great work is steadily advancing with a celerity, which renders its complete success no longer a matter of conjecture; for notwithstanding the extraordinary casualties to which the road has been subjected during the past year, some of them involving the expenditure of heavy sums of money for repairs, and the expense and trouble occasioned by the interruption of its connection on the Ohio River near Wheeling, with the Central Ohio Rail Road, and the unfortunate controversy with the people of Wheeling, with regard to that connection, the work has steadily and prosperously progressed, under a management indicating a degree of sagacity and energy, entitling those concerned in the same to a high meed of public praise. The paramount importance of this stupendous enterprise, prosecuted under difficulties of great,

and disheartening magnitude, but which being subdued and overcome, constitute it, a wondrous and enduring monument of the perseverance and enterprise of the State, has been so repeatedly portrayed, that I need not dwell upon it here. Suffice it to say, that in my opinion its importance has not been exaggerated; for when its capacities shall have been fully developed, and its connections with the number of public works, that thread the vast country, which spreads itself west of the Ohio, are fully completed, the wealth to be attracted to the lap of Maryland, through these instrumentalities, cannot easily be over estimated. The question at issue between the Company and the city of Wheeling, with regard to the proposed connexion, with the Central Ohio Road, at Benwood on the Ohio, has, I am glad to learn, been disposed of, by the Supreme Court of the State of Virginia, by a decision in favor of the Company, dissolving the injunction obtained against it, by the city of Wheeling, and thus a great impediment in the way of the successful operations of the Road, at that point, has been removed, and it is to be hoped that all controversy with regard to it, is at an end, and the matter finally adjusted.

Notwithstanding the interruptions in the trade and travel on the road, to which I have referred, the receipts of the main stem for the year just closed, amounted to $3,711,453.85, showing an increase over those of the previous year, of $65,844.42, and the clear gain of the year's work on that portion of the Road to have been $790,244.05.

The revenue from the Washington Branch amounted to the sum of $402,635.07, being an increase upon that of the year 1854, of $33,405.46.

By a statement contained in the report aforesaid, based upon the revenue of the last two years, it would seem, that in April, 1857, there would be remaining in the Treasury of the Company, a balance of cash, amounting to $323,480.78, which would admit of a dividend of three per cent. for six months on $10,118,902; and that upon the 1st of April, 1857, even upon the hypothesis that there shall be no increase in the revenues of the road, "the Company will be unembarrassed—its floating debt liquidated, its funded debt of $5,328,500,00 under a gradual reduction, and the Stockholders receiving a dividend, at the rate of six per cent. per annum"

We are also, apprised by the same authority, that the North Western Va. Rail Road will, they are assured, be in working condition in the course of the approaching Summer; the connection of this Road with our own at Parkersburg, will open another prolific source of travel and trade which must contribute largely to the profits of the Company, and add greatly to that Commerce to which the growth and prosperity of the State is to be in a great measure attributed.

As the annual Report of the President and Directors of the

Northern Central Rail Way Company, could not be had in time to answer the purposes of this communication, I caused a letter to be addressed to the President of that Company, requesting such information touching the condition and operations of that work, as it might be in his power to supply. The reply of that officer, together with the address of the President and Directors of the Company to the stockholders, of May 17th, 1855, places in my possession many useful and interesting facts in connexion with the condition and prospects of this work, which indicate the complete success of the recent consolidation with other works, and justifying us in looking forward with well grounded hopes for the happiest results in the future, both as it concerns the profits of the Company and its effects upon the welfare of public trade.

The consolidation of the Baltimore and Susquehanna Rail Road Company, with the several Companies hereinafter named, incorporated by the State of Pennsylvania, and traversing her Territory, viz: the York and Cumberland Line Rail Road, the York and Cumberland Rail Road Company, and the Susquehanna Rail Road Company, authorised by an Act of the last General Assembly of Maryland, Chapter 250, and an Act of the Legislature of the Commonwealth of Pennsylvania, passed for the same purpose, under the corporate name of the Northern Central Rail Way Company, was consummated the fourth day of December, 1854, upon the terms and conditions mentioned in the Statutes authorizing the same, and a report thereof made to this Department in conformity with law. The mortgage upon the entire line of Road from Baltimore to Sunbury in Pennsylvania, and the revenue and tolls of the same, for the purpose of securing to the State payment of the annuity of $90,000 hereinafter referred to as required by the provisions of the Act of 1854, chapter 260, has been executed and delivered to the Treasurer, and the release of the State's interest in the late Baltimore and Susquehanna Rail Road, executed and delivered by that officer as authorized and directed by the Act of Assembly last above mentioned. So that the new Company is now in the full tide of successful operation under the new condition of things, and so far has been followed by results in a high degree gratifying and encouraging, and which seems to indicate that the State has acted wisely in parting with its interest in the Old Baltimore and Susquehanna Road, upon the conditions agreed upon. She, by this arrangement parted with the right to demand a much greater sum than the annuity stipulated for under the agreement for the union and consolidation of the several corporations above named, it is true, but it was a demand which she had for some time failed to realize, and the embarrassed and straightened condition of the finances of the Company against which she held the demand, rendered the hope of ever realizing it, extremely doubtful; while the consolidation yields her annually the sum of ninety thousand

dollars, the payment of which is not only most abundantly secured by liens upon the entire line of Road, its revenues and tolls, as before mentioned, but from the fact that the failure to pay that sum by the terms of the mortgage aforesaid, operates a restoration of the old liabilities to the State, renders the payment thereof so much a matter of absolute certainty that nothing short of a most ruinous succession of calamities can cast over it a shade of doubt. The address to the stockholders of which I have spoken is an interesting paper, and narrates many facts, relating to the history of the roads consolidated—the union of the same, and the purposes thereof; the working of the combined roads from the date of consolidation to the date of the address, and the advantages resulting from a change in the policy of the road, and the correction of abuses very properly condemned, which it would give me pleasure to communicate but for the fear of enlarging unreasonably the contents of this communication. I must therefore, refer you to that address for information more in detail. By the answer of the President, I learn, that although the Company was nominally organized by the election of its Board of Directors, on the ninth day of December, 1854, it did not, in fact, mature its system of management until the first day of January 1855, at which time it may be said to have commenced its operations under the new organization. The first fiscal year of the present Company did not terminate until the 31st day of December, 1855, so that a report of its operations during the entire year cannot be made before about the first of February next. The presiding officer has, however, furnished me with a comparative statement of the gross income from transportations between Baltimore and Bridgeport, the present finished portion of the Northern Central Rail Way, for the years ending September 30th, 1854 and 1855, respectively, which enables me to communicate the results of the business operations of the Road for that period, three months of which were under the management of the old Companies, and nine under the new organization.

From this statement it appears that the number of passengers carried over the road during the year 1855, amounted to 210,436 and the amount of freight transported over the same during the same period was 681,062,754 lbs.; which when compared with transportations for the previous year, 1854, exhibit a decrease in the number of passengers of 3,820, and in the amount of freights of 139,495,202, lbs., notwithstanding which decrease, the increase of receipts from these sources was greater than those of the preceding year by $15,099,95, for freights, and $11,581,86, for passengers, or $26,681,60, in the aggregate. The receipts of the Company, for the nine months up to the 1st of October last, amount to the sum of $401,766,76, and it is assumed that those for the month of October cannot be less than $52,000, and may be more; and those for November and December, will reach the sum of $55,000, each, which estimate, if realized, will swell

the revenue for the year to the sum of $564,000. The expenditures during the same period, (nine months,) have averaged about fifty per cent. of the gross receipts, and it is conjectured that at the end of the year it will be found that this ratio will not be exceeded.

Calculating the net revenue for the year on this basis, the clear income of the Company at the end of the year, from the business of the road will be about $280,000, being an increase over the estimate contained in the address to the Stockholders before mentioned of some $18,000. This revenue I am informed is chargeable with the interest on the permanent debt, and the annuity to the State, amounting together to the sum of $159,600. The Stock and Bonds of the Wrightsville Road held by the Company supplies about $9,000 annnally, which applied to the interest on the permanent debt and the annuity, leaves to be provided for from other sources $150,000 per annum; which when deducted from the net revenue as above stated, leaves a surplus of $130,000, a sum sufficient to allow of a dividend of more than six per cent. But the Company being charged with the floating debt of the Baltimore and Susquehanna Company, amounting to nearly $100,000, and deeming it not only their duty, but the dictate of sound policy, to pay it, appropriated so much of this surplus that a dividend could not be made in the past year.

It is confidently expected that the recent opening of the Dauphin Road, and its communication with the Northern Central at Harrisburg, must add considerably to the trade of Baltimore from the anthracite regions in the vicinity of Pottsville. Such has been the increase already from this source, that the Company has found it necessary to enlarge its means of transportation which, it is believed, will considerably increase the profits of the Company during the present year. I am assured by the President that the work of completion of the Road to Sunbury is about being commenced under circumstances that can scarcely fail to secure its successful and speedy completion; and we are encouraged to hope that before the end of another year we shall have a direct line of communication with the Lakes of the State of New York, and be brought into connexion with the coal region of the Susquehanna. The road from Bridgeport to Sunbury when completed will traverse the chief depots of four different coal basins, yielding a supply of coal of the most approved qualities, approximating, if not equalling, that of the Schuylkill region. These depots are in a line of communication with the city of Baltimore at distances varying from ninety-two to one hundred and thirty-five miles. When this road shall have been completed and brought into connexion with the vast mineral and agricultural regions, towards which it is energetically pressing, and its capacities for transportation fully developed and matured, it cannot but add largely to the profits of those whose means have been contributed to the projection and completion of the work, and to the wealth and

prosperity of the State. It is with pleasure that I inform you that the quarterly instalments of the State's annuity of $90,000 have been promptly paid as they fell due; and, as I have above stated, there is no reason whatever to fear that they will not continue to be promptly paid hereafter.

The Susquehanna and Tide Water Canal Companies are also, I am happy to inform you, in a highly prosperous condition. As the fiscal year of these companies did not terminate until the 31st December, I have not the means of communicating data of that reliable character, which the annual official statements of the actual operations for the year, will in a short time supply.

The gross receipts from freights for the year ending 31st December, 1854, amounted to the sum of $180,349.78 and is an increase over those of the preceding year of $2,065.43. The net income for the same period, over and above all expenditures was $16,610.89. The regular increase in the revenues, I am informed, has been at the rate of about $10,000 annually. This year the increase will, I understand, more than double that sum, owing to an increased activity in business and the further development of the resources of the country furnishing the trade of these works. It gives me pleasure to communicate the gratifying intelligence that these companies are regularly paying the interest upon their entire indebtedness, and we have no reason to apprehend that this state of things, so creditable to those engaged in their management, and gratifying to the public, will not continue.

You will find herewith the twenty-seventh annual report of the President and Directors of the Chesapeake and Ohio Canal Company to the Stockholders for the year 1855, which with the accompanying statements of the Clerk and Treasurer will furnish you in detail the condition of the Canal and the finances of the Company to June, 1855. I have also received a letter from the President in answer to one of inquiry addressed him, by which I am informed that little of interest has transpired affecting its business operations since the end of the period embraced by the report above mentioned. The navigation of the Canal has been maintained with great regularity and with an ample supply of water during the entire season, with the exception of a portion of the month of August when it was suspended by damage to a road culvert occasioned by heavy rain. The tolls from the first of January to the thirteenth of November, 1855, amounted to $127,012.88, and it is estimated that for the month of Deecember there will be $10,000. The amount of rents, for the year, for water power, &c., &c., is $5,000 making the aggregate receipts $142,000, which as compared with those of the previous year, which were $124,108.02, shews an increase for the last year of about $17,904.86. The current expenses for the year 1855, (exclusive of interest, payable in coupon bonds for completion and repairs unpaid amounting during the year to $114,000) it is conjectured will be nearly $132,600. The tonnage transported for the year 1855 will exceed that

of the preceding year about 50,000 tons, the increase being chiefly in coal. The amount of coal and coke shipped on the Canal during the year 1855, will be about 200,000 tons, being 55,000 tons more than the preceding year, and a greater than has been transported on it any previous year.

The late period at which the letter of the President reached me does not admit of my giving any more extended notice of the affairs of this work. I refer you for information more in detail both as it respects the condition and prospects of the Canal, to the Report aforesaid, from which you will find that although represented to be in a better condition than at any period since the destructive freshet of 1852, are by no means flattering or encouraging.

Foremost among all the questions of State policy which in my judgment demands your earnest and most careful consideration, and which cannot be longer postponed, without disregarding the highest interests of the State, should be placed the subject of common school or public education. Whatever causes may have existed heretofore, for the long neglect of this all important subject, growing out of our embarrassed financial condition, and the heavy taxation incident thereto, it gives me much pleasure to say, that they are now all removed as will appear by the official reports from the Treasury Department, which will in a few days be submitted for your consideration. It will be a reproach upon the character of the State, if with the means now under its control, and with the knowledge of the progress and results, which has marked the educational efforts of so many of our sister States, we should continue to lag so far behind them, or hesitate longer, to put forth an effort, commensurate with the importance of the subject, and the growing necessities of the people.

Certainly there can be no matter of public concern, so essential to the well being of society, or so promotive of the public interests in all its aspects, present and prospective. No subject can appeal so strongly to our State pride, or can so justly claim the public approbation and support, as the effort to establish for the people at large, an efficient system of common school instruction.

In a Government such as ours, emanating from the people, based upon their intelligence and virtue, supposed in all its operations to reflect their will, where public men and measures, must sooner or later conform to public sentiment, how indispensable to the very existence of all that is valuable in our civil institutions, must be the general diffusion of intelligence and virtue. Now whilst all will acknowledge this necessity and admit that our Government must rely entirely for its permanency, upon the intelligent appreciation of its privileges by the masses of the people, few permit themselves to go beyond this mere feeling and acknowledgment, into the field of action, or who will put forth any well directed effort for the advancement of a cause, upon the success of which, are involved such heavy responsibilities.

The system of public instruction in Maryland (if we except the

City of Baltimore, whose public schools are an honor to the State, and reflect the highest credit upon all entrusted with their management) is in a state of the most utter and hopeless prostration. Our plan of public instruction must be constructed anew; made uniform in its operations throughout the State, supported more liberally by State and county resources, and above all, it should be made subject to some controlling, supervisory power, through whom all its operations should be annually communicated and made public, or it will fail to meet the exigency of our condition, or be attended with any public benefit. A glance at the law upon which the present school system was founded, will make this appear more evident.

It was not until the year 1825, that the subject of common school instruction was brought to public notice.

The Legislature of that year was with difficulty prevailed upon to pass a general law on the subject, but it was so imperfect in its construction, so wanting in the necessary constituents of a perfect system, so mutilated in its final passage, that it has retarded rather than advanced the progress of public education. Those provisions of the act which gave it the character of a general law, and threw upon the Legislature the responsibility of its support and management, were nullified by the insertion of other provisions wholly incompatible with the character of a uniform State system.

It is true, the Act of 1825, provided nominally for the appointment by the Governor, of a superintendent of public education, and made it his duty to take charge of the whole business of public instruction, to carry into operation through the different counties its provisions, to watch the operations of the system, and to report to the Legislature such alterations and improvements as his experience should suggest from time to time; and yet this provision, so indispensable to the successful operation of any system, was rendered nugatory by the total failure of the law to provide any salary for the superintendent, or even the payment of his necessary expenses.

Another provision of this law, equally hostile to the successful operation of any system, was that which gave to each county, by a public vote, the privilege of accepting or refusing it, and of course the power of destroying the uniformity of the system, which was its most valuable feature. These sections with others of an equally prejudicial character, destroyed the general public character of the plan, and made the law, in those counties which accepted it, strictly local, subject merely to the local county authorities, and wholly out of the reach of any State supervision or control.

The law thus adopted was from time to time added to, altered and amended, in most of the counties which accepted it, according to the wishes and judgment of the ever changing Boards of School Commissioners, and county authorities; whilst the counties that rejected the law, formed separate systems of their own which likewise received in their turn, the legislative sanction. [So

that we have now an incongruous collection of local and inefficient systems with no controlling head, either in the State Government, or in any of the counties, no responsibility to the Government for the manner in which the children of the State are reared, or its funds disbursed, and subject for their support to the caprice of tax payers, and too frequently to the fraud or folly of incompetent and itinerant teachers, strangers to our people, and hostile to our institutions.

Through this mode of Legislation it has happened that a multitude of inconsistent and conflicting statutes, on the subject of common schools crowd our statute Books, constituting a labyrinth which it is difficult for even the learned to comprehend and explain.

Whilst these local laws exist, it is manifest that any attempt at improvement is utterly precluded, and the system will remain inefficient or inoperative for any public good. In my opinion you cannot suffer this state of things to continue without neglecting the most important trust committed to your care. The cause of common school instruction should be the most sacred and cherished of our public institutions, and should be the distinguished feature of our political system.

To repeal all these laws, and to embody into one perfect enactment, whatever of value may be gathered from them and all other sources, foreign and domestic, within your reach, to give such a law universal operation within the State, to place its administration into the hands of an able, energetic and responsible superintendent, with competent subordinates and ample powers, to provide the necessary means by State authority, to be paid into the public Treasury and thence to be disbursed for the support of education, in every county, according to its population, the number of its established schools and the pupils belonging to each, is the course which in my judgment it becomes the Legislative wisdom to adopt, if they desire fully and permanently to promote the cause of public education within the State.

That the Act of 1825, for the establishment of primary schools, with its supplements, have been greatly inoperative, is fearfully confirmed by the fact, that although since that period thirty years have elapsed, the Census of 1850 discloses the humiliating truth, that even within the last ten years, next preceding the year, in which that Census was taken, the number of our white adults who can neither read nor write, has been doubled, whilst the increase of our population during the same period had not exceeded one-fifth. I have no doubt there are at this time, within the limits of our State not less than twenty-five thousand white adults, who have never been taught their alphabet, and of whom therefore it may with truth be said, that the discovery of the art of printing remains to them a barren and useless invention. Within this period thousands

of the youths of the State, in many of whose uncultivated minds, may have slumbered the "rudiments of the statesman's skill and the patriot's fire" have attained to manhood, and other thousands are pressing on as wave follows wave, to the same goal, to take their stand upon the stage of citizenship, to whom poverty has denied the benefits of any degree of education. And yet, under our free republican institutions they are made in part, the depositaries of the supreme power of the commonwealth, they are in fact the rulers of the State, by whose suffrages, the fearful issues of peace and war, and the abstruse problems of poiitlcal science and constitutional law are to be adjusted.

The intelligence of the people constitutes one of the main pillars of our fabric of Government, and upon an enlightened morality and public virtue, must rest the hope of the patriot for its safety and perpetuity. Educatlon is the handmaid of religion, and it is the dictate of wisdom, that the public school, like the sanctuary of the living God, should be made accessible to the humblest and poorest in our midst, that thereby the seeds of knowledge and religion may be sown together, broadcast over the land, and their manifold increase "made to swell beyond calculation the harvest of future prosperity."

These propositions are so self-evident, that the naked assertion of them, challenges the approving judgment of every sound thinking man, and well wisher of our race. It cannot be necessary at this day in addressing the Legislature of a sovereign State, to enforce them with any great degree of elaboration.

It is a burning shame, that Maryland one of the first born of the revolution, in that great sisterhood of States, whose empire reaches from ocean to ocean, should have done so little for the diffusion of knowledge among those within her limits, whom poverty may doom to perpetual ignorance. We are far, very far in the rear of some of the youngest States in the Union in this great work. We have placed at hazard millions of treasure in efforts to develope our physical resources; every muscle of the public arm has been stretched to its utmost tension to penetrate the bosom of the earth, and bring to light its hidden treasures. To increase our commerce and augment our wealth, and to swell the means of administering to the comforts of the physical man, we have scaled the mountains and bridged their gorges, that we might attract to our own the riches and resources of other lands, and yet we have done comparative nothing by any public effort towards developing the capacities and treasures of the immortal mind in the field of action to which I have adverted.

Gentlemen, the time has come when the State should be aroused to vigorous and prompt action in reference to this great public necessity. Let then the initatiory steps be at once taken, to devise a liberal, efficient, uniform and practical system of com-

mon school instruction for the entire State. It is a work worthy of the noblest effort, the most exalted talent, and the most soaring ambition. Perform it, and the proud consciousness of having done the State a signal service, will be yours, and the benedictions of generations yet to come, will follow you, proclaiming you, among the benefactors of the State.

I would respectfully call your attention to the duty of the Legislature under the ninth article of the Constitution, of providing by law, for the enrollment of the Militia, and for the encouragement of Volunteer Corps, in the various counties of the State, and in the city of Baltimore. Both of these Constitutional duties have been too long neglected; they are demanded by our present very defective military organization, and would doubtless be attended with beneficial results. But in my judgment, there is no prospect whatever that any material and permanent improvement will be effected in our military discipline, until your efforts commence with the *youth* of the State and are directed to the attainment of at least some degree of regular military education.

After some enquiry and reflection on this subject, I am satisfied of the entire practicability and expediency of introducing systematic Military Instruction into all the Colleges and Academies patronized by the State or sustained in part by its bounty. The eminent success which has attended those institutions, that have blended Military with the usual Academic instruction, is too well established to justify a doubt as to the utility and perfect success of the system. Many of the States of the Union have already established Military institutes under the liberal patronage of the State and have thus made provision for the annual diffusion among the people of an educated and scientific corps of young men, schooled in Military science, trained and disciplined to its practical duties, and prepared, should the emergency arise, to discharge the duties of any post in any department of Military duty. Several institutions of this character exist in our own State, without such patronage, in a highly flourishing and prosperous condition. They are beginning to attract a large share of public attention, and richly merit public confidence and support. Through a system of regular daily instruction and weekly parades which answer the double purpose of exercise and recreation, the students attain a degree of proficiency and skill, which acquaints them, not only with the duties of the private soldier, but with all the higher duties of company and battalion officers. It need not interfere with any Academic duty, time being specially appropriated to this physical exercise with the same system, that hours are devoted to intellectual culture. These Academic parades have been frequently witnessed by Military gentlemen of both State and Federal service, whose testimony has been uniform as to the exactness of their exercises, the soldierly bearing of the students, and the superiority of their drill over that of most of the Volunteer Companies of the State.

As to the importance of diffusing Military knowledge and some degree of skill and tactics among the people, there can be no question. An elaborate system of Militia Law stands upon the Statute Book, the wisdom of the Legislature has been exhausted, and the resources of the State liberally expended without success, to perfect an efficient system of Military organization.

In a country like ours, the institutions of which are opposed to large standing Armies and aggressive warfare, and where the tastes and pursuits of the people at large, lead them to cultivate exclusively the arts of peace, nothing less than the general apprehension of immediate war will produce upon the public mind such an influence as will suffice to sustain an effective and well organized Militia establishment. Hence the necessity for the adoption of some system, which would annually supply every portion of the State with a Corps of scientific and educated men capable of officering the citizen troops in cases of emergency, upon whose services the State would have a peculiar claim, and upon whom she could confidently rely.

It is conceded on all hands that our Militia laws have failed, utterly failed, to accomplish the purposes for which they were intended, and at the present time command but little of the public attention or respect. They have done nothing commensurate with the expenditure of time and money devoted to their preparation. Subtract the volunteer corps of our cities and larger towns, and we have in Maryland but the skeleton of Military strength, wholly without organization, undisciplined, unfit for any emergency, and unworthy of the character of the State and the spirit of our people.

Now on the other hand, and in striking contrast with this failure of the General Law, we have the perfect success of a system becoming every year more popular, which commences at the right place, with the youth of the State, and which, without any interruption to the regular course of Collegiate and Academic instruction, and with but trifling expense to the State, can make our educated youth well-trained soldiers and thoroughly acquainted with the prominent duties of Company Officers. Knowledge and skill in Military Science, all admit are more easily attained in youth, and when thus acquired more likely to be retained. They may be dormant for want of exercise, but the recent experience of our country furnishes the most abundant and honorable testimony, that when occasion demands, none rally around the consecrated flag of their country with more cordial alacrity, or render more gallant and distinguished services than those who are indebted to the Government for their Scientific and Military Education.

In addition to the Military knowledge thus gained, which is the chief concern, the drill furnishes the precise sort of exercise peculiarly adapted to Collegiate institutions. The absence of bodily training, according to proper anatomical laws is one of the

marked defects in our system of education. Whilst, therefore, this species of instruction could be made subservient to improved physical as well as mental development, it accomplishes the great practical point in which the State is so deeply concerned.

Let the experiment be fairly tried, introduce and provide by law for regular Military instruction during portions of the year in all the Colleges and Academies in the State which partake of the State's bounty, appoint a Military Officer of high professional standing and merit to inspect them from time to time, and soon the merits of the two plans will have a practical solution, which will be the end of all argument.

The agricultural interest of the State has been in a great measure overlooked by the Legislature. I feel it my duty to call your especial attention to the subject, and to recommend that something be done for the increased development of our landed resources, and for the promotion of agricultural education. The pursuit of agriculture is incomparably the most important of all the avocations of life. It constitutes the basis upon which the permanent prosperity of all others is founded, and is surely entitled, equally with others, to the favor and patronage of the Government.

That great and uncomplaining class of our people, the tillers of the soil, who have always contributed so largely to the support of Government, and upon whom in seasons of pecuniary embarrassment and trial, the burdens of the State have been so profusely thrown, have been most sadly neglected. They have relied mainly upon their own unaided resources, and have been content to await the slow returns of patient and plodding labor and industry, rather than seek the uncertain and capricious aid which might be obtained from the favor of Government. It is, however, extremely gratifying to perceive the increased zeal and interest which is beginning to pervade public sentiment, in relation to this elevating and ennobling pursuit. No one who has attended the annual exhibitions of the State Agricultural Society for the last few years can fail to be struck with the vast improvement and progress in agricultural science, which has been attained within this brief period.

I respectfully submit, that this is an auspicious time to encourage an association whose efforts have been attended with such public benefits. This society sustained thus far by private liberality and enterprise, has spread abroad through the community most useful and practical information; by stimulating labor and rewarding skill and industry, it has done much to arouse the dormant energies of the people in behalf of an interest which lies at the foundation of all national prosperity. With a view to the promotion of a more practical and thorough agricultural education as well as the more general diffusion among the people of those elementary and well established principles of agricultural science, which can as well be learned in youth, as by the slow process of

personal experience, the members of this Society, together with many of the most enlightened and public spirited citizens of the State, have long advocated the necessity of establishing an Agricultural College, with an experimental farm attached, wherein these principles might be practically taught with all the aids and advantages which such an institution would afford. The organization of an institution of this character is now under consideration. In the event of its receiving from private sources such support as will admit of a reasonable probability of the success of the undertaking, so fully impressed am I, with the eminent advantages of such an institution, and believing that its benefits would be coextensive with the entire limits of the State, that I do not hesitate most earnestly to recommend, that such liberal aid be extended to this noble enterprise as its importance demands, and as it may be in the power of the State to bestow. I am satisfied the Legislature could render no service, that would be more generally acceptable to the people of the State.

The condition of the Maryland Penitentiary requires your early attention. The operations of the Institution for the year just ended, together with the present state of its finances, will be exhibited by the Report of the Directors now nearly ready, and which will doubtless be before you at an early day.

The capacity of the Prison buildings has become wholly inadequate to the accommodation and safe custody of the constantly increasing number of inhabitants, and the necessity for enlargement is daily becoming more and more indispensable. The dormitory or sleeping apartments especially, are deplorably insufficient, and the extension of the old or the erection of an additional building, cannot be longer postponed without great detriment to the public interest.

There are undergoing confinement there at this time, some four hundred and ten prisoners; of which number three hundred and seventy-six are males. To accommodate these there are but about two hundred and fifty-six inhabitable cells. The consequence of this is, that in contravention of the policy of our Penitentiary statutes, and against every consideration of expediency, instead of each prisoner, during such time as he may not, under the rules of the prison, be at labor, being separately confined, they are huddled together in some instances as many as eight and ten in a single apartment. To such a degree have the authorities of the prison been pressed for sleeping accommodaions, that they have found themselves compelled to invade even the hospital for the sick; and for sometime past the well and the diseased have been thrown together indiscriminately. This state of things should not be suffered longer to continue. It is not only against sound policy but the plain dictates of a common humanity, that these creatures, depraved though they be, should thus, at the hazard of that health which, in the case of so many, is their only dependence when their terms of imprisonment shall have expired, be crowded

together in such large numbers, to breathe the tainted atmosphere of a diminutive ill ventilated apartment, designed to accommodate but a single person.

But in addition to these considerations, how, under such circumstances, can it be expected of the prison authorities that good order and proper discipline shall be maintained. And can it be a matter of surprise that prisoners sometimes escape, when we consider the facilities thus offered for conference and contrivance. Indeed, the wonder is rather that escapes do not occur much more frequently than they have done.

Should contagion, in the present condition of the buildings, break out within them, the consequence would be too terrible to contemplate. It could not prove otherwise than disastrous in the extreme, for there are now no possible means of separating those who might be diseased from the rest.

Without prompt action on your part this state of things, bad as it is, will be getting worse daily. It is a melancholy truth that with the growth of population there seems to be a corresponding increase in the amount of crime, for the number of convicts annually sent to our State prison has been steadily advancing.

I therefore recommed that provision be made at once for the erection of a new dormitory, that shall contain a number of single cells, not only sufficient for those now in prison, but that will be adequate to supply any increase of the number that may reasonably be expected for some years to come.

It has been repeatedly suggested to the Legislature by my predecessors in office, that some suitable provision should be made for those inmates of the Penitentiary, who have become insane; but to this time nothing whatever has been done. That it is no fit place for the confinement of such, must be conceded; and that it is to the manifest disadvantage of the prison that they should remain there, is equally clear. I see no evil that could accrue to the prison by allowing the executive to remove any such that may from time to time, become thus afflicted, upon being satisfied of their mental derangement, and upon condition that upon restoration to sanity they should be returned to the custody of the State authorities.

I have been requested by the Directors in their Report for the year 1854, to recommend to your consideration the passage of an Act which will relieve the Institution from the necessity of annually complicating their books, by a statement of the various loans made by the State for its support. Some of these loans were made upward of thirty years ago, and there is no probability that either principal or interest will ever be paid by the Institution. I therefore, see no inconvenience or loss that could result to the State, from the passage of an Act relieving the Penitentiary altogether of these charges, and respectfully recommend the same to your consideration.

The Board of Managers of the House of Refuge, are required

by the Act chartering that Institution, to report annually to the Legislature. There being no session of that Body last year, the report for that year was made to this Department, and is herewith communicated.

The object for which this charter was attained has been vigorously pressed under circumstances of embarrassment greatly discouraging. It affords me pleasure, however to say that obstacle after obstacle, however disheartening, has given way before the energy and perseverance of its projectors, and they now have the felicity to reap, in the consummation of their purposes of humanity and mercy, the rich reward of all their care and efforts. By the liberal aid of private citizens, and the munificence of the corporate authorities of Baltimore, the friends of the measure have at last succeeded in erecting, in the vicinity of that city a place of refuge for juvenile delinquents. The opening of the Institution was duly inaugurated the fifth day of December just passed, and I sincerely congratulate the friends of humanity upon so auspicious an event. An Institution whose end and aim is to reclaim the erring youth of the State, by withdrawing them from the circle of vicious influences to which their poverty or their will may lead hem, before their hearts shall have become hardened against virtuous precept, is among the most ennobling of the charities that mark the advancing civilization of our age. Indeed, I know of no scheme of mercy within the province of Government, which can claim so great a degree of public utility, or commends itself more forcibly to popular favor.

The only mode of punishing crime, now known to our criminal jurisprudence, is by a confinement which secludes from all vigorous exercise and active out-door employments those who offend againts the laws. It is a well known physiological fact, that youths cannot be deprived of these with the same safety as adults. Necessary as they are to a healthful, physical and moral development, in both minors and adults, they are conceded to be much more essential in the case of the former than the latter. But this mode of punishment is liable to further, and even much greater objections, which have led to a well grounded belief that our State Peniteniaries and Jails are so many seminaries of vice and crime, to those of tender years who may be, from time to time confined within them. At present the young and the old, the comparatively uncorrupted and the consience seared eriminal are thrown together. A youth, too often it may be for some trivial and first offence, finds his way into one of these prisons, and is, at once introduced to a daily association with felons of the worst description. Instead of being reformed he is but emboldened and confirmed in a proclivity to viciousness. Every inducement to a depraved existance is held up before his ardent gaze, his imagination is inflamed by recitals of criminal adventure; the whisperings of conscience are silenced in the mockery and derision of his associates, until at last the feebleness of youthful resistance gives

way before the power of the tempter, and his character may be said to be formed, and his destiny shaped. He serves out his term of incarceration and leaves with his heart turned at an early age against mankind; and starting anew with his most malevolent affections awakened or strengthened upon a career of crime, he advances by regular gradations of guilt, from petty offences to those of greater enormity, until at last he is detected in some dark and bloody deed, and soon the scaffold, or a felon's cell resounds with his mournful tread.

This great defect in our system of punishment has long been a source of the most anxious solicitude to the Legislator and the philanthropist. Much thought has been bestowed upon the subject, and public opinion in our own, and other States, seems to have settled upon the House of Refuse scheme as the most available substitute. The experience of those communities where the experiment has been tried has seemed to demonstrate the wisdom of this conclusion. Poverty, idleness and the want of proper parental care, are the most fruitful of all sources of depravity among the young. Indeed, a dependence upon precarious charity, and the want of even a moderately comfortable home, has been the ruin of thousands of youths, who might have been saved by an institution such as this, where by a happy combination of the influences of the work shop, and some degree of moral training, habits of industry are taught, and the deficiency of proper parental oversight are in a measure supplied. How far such an establishment may be successful in its work of reclamation and reformation it is not of course in our power to determine. That must depend on time and the degree of encouragement it may receive. There is, however, good ground for the opinion, so generally entertained, that its influence must be powerfully felt within the field of its operations.

It is to be deeply regretted that by an act of the last General Assembly, all connection between the State and this noble charity was severed, and the original design of making it a State institution thus abandoned. It is to be hoped, however, that this determination will now be reconsidered, in order that its benefits may not be confined to the corporate limits of the city of Baltimore, but extended to every section of the State. From the report herewith sent you, I infer that a plan for permanent support has been digested, which, it is expected, you can "aid in carrying out by available means and in such a manner, and from such sources, as will be shewn to make but comparatively small drains upon the stated revenues of the State." Such an enterprise must, in the early stages of its existence, stand much in need of pecuniary support, but I have no doubt that in time it will be abundantly capable of sustaining itself. If the State now parsimoniously withholds its aid she cannot surely expect, when it can exist independently of public appropriations, to be allowed a participation in its advantages. With these observations I commit the subject

to your hands with an expression of the hope that the last step taken by the State will be retraced.

In view of the present prosperous condition of our State finances I have no doubt an effort will be made to induce you to reduce the taxes. I hope, should the attempt be made, it may not meet your favor. I regard any material change in our revenue laws at this time, as exceedingly injudicious, for although we are now in a condition that admits of no apprehension as to the ability of the State to do more than meet all its current liabilities, yet there is an absolute and pressing necessity for appropriations in behalf of matters of interest to the State, which cannot well be deferred, and which I have commended to your notice. If these measures shall meet with your approbation, and that they will I cannot permit myself to doubt, they will occasion unusual drafts upon the Treasury, and you should be exceedingly cautious how you permit the present sources of revenue to be diminished. Some of these laws, I am aware, are extremely burdensome, and proceed upon principles at variance with the generally received theories of taxation. Of such are the acts imposing a tax upon mortgages, judgments, collateral inheritances, promissory notes, &c. These measures can only be justified by the pressing exigencies of the State in which they originated, and so soon as they can, with perfect safety be removed it should unquestionably be done. Justice, I think, demands that they should be the first removed. The most odious of this whole series of revenue measures, deemed necessary for the relief of the State in the hour of her financial distress, is that commonly known as the "Stamp Act." In addition to the objection to which it is liable equally with the others I have named, namely: that it is a tax upon the credit of the citizen, and not upon "his worth in real and personal property," it is open to the further objection that it operates to a very considerable extent as a restraint upon trade and commerce. Besides, it was doubtless the intention of the Legislature that at as early a day as the honor of the State would allow, this restraint should be withdrawn. That it was not designed to make this tax a permanent charge upon the people is evidenced by the fact that the original act of 1844, by one of its provisions expressly limited it in its duration to the year 1848; by which time it was then conjectured that the embarrassments which menaced the ruin of public credit would be so far relieved by these extraordinary exactions as to render its continuance beyond that period unnecessary.

In the belief thus induced that the tax would be but temporary, even those of our fellow-citizens whose interests have been most prejudiced by its imposition, have borne it with a cheerful spirit of submission which does them great credit, and seems to show how much they may be depended upon in the dark hour of public reverses. The revenues of the State, as has already been shown, are not only sufficient to pay the ordinary expenses of the Government, and the interest upon the public debt, but to allow of the ap-

plication of so large a sum annually towards the extinguishment of the principal sum due, that the means of paying the whole, will, should the same degree of prosperity attend us in the future, have accumulated in the Treasury long in advance of the time at which a great part of the State's securities are redeemable. Within the last two years, as before stated, the State's indebtedn ess has been virtually reduced by the sum of $767,478.55, a sum five times greater than the revenue derived in the same period from stamps. Under these circumstances, particularly as an abatement has already been made in the direct tax, a tax which bears equally in all sections of the State, I incline to the opinion that public expectation might be met by a repeal of the laws imposing this tax at the present session. But in view of the extraordinary demands upon the Treasury hereinbefore referred to, and considering the precarious and uncertain nature of some of the sources upon which the State has to depend for its revenues, this is as far, in my opinion, as you can at present safely or prudently go in the modification of our revenue system.

During the fiscal year 1854, there was expended for the tuition of the indigent Deaf and Dumb at the Pennsylvania Institution in the city of Philadelphia, the sum of $2,184.36, and for the year 1855, $2,582.59. For the indigent Blind at the Pennsylvania Institution for the year 1854, there were expended $1,278.66, and for the year 1855, $1,168.61. For the indigent Blind at the Maryland Institution since the 1st December, 1854, the date of its commencement, $762,08.

Within the last two years eleven warrants have been issued to beneficiaries to the Pennsylvania Institution for the instruction of the Deaf and Dumb. According to the last report there were seventeen pupils from this State in the institution. One having left and two warrants having issued since the date of the report, the number of beneficiaries from this State, (if the pupils to whom warrants were last given have been admitted,) amounts now to eighteen.

The Maryland Institution for the instruction of the Blind, incorporated in 1853, was opened on the first December, 1854.—By the act of 1854, chapter 224, the annual appropriation for the instruction of the indigent blind, was increased from two to four thousand dollars, and authority given to the Executive to have placed in said Institution for education such indigent blind persons "as may hereafter be educated at the expense of the State, or so many of them as he may deem expedient." An additional sum of five thousand dollars was authorized, upon certain conditions to be paid to the Institution. These conditions having been complied with, the above named sum has been paid to the Treasurer of the Institution. Eleven warrants have issued to State beneficiaries for admission into this institution; seven only have been admitted. There remains in the Pennsylvania Institution for the instruction of the Blind, five benificiaries from this

State. After consultation with the officers of both institutions, I have deemed it advisable to allow them to remain and complete their education. No warrants have been issued to this institution for the last two years.

I deem it my duty to furnish you with some facts in relation to the sales of the State lands, and the laws regulating such sales, with a view to equalize their proportionate valuation.

The prices are now fixed by the old laws which still prevail, are as follows, viz: In Allegheny county the price of vacant lands is $16\frac{1}{3}$ cents per acre, of this $8\frac{1}{3}$ cents is to be paid at the time of taking out the warrant. In Washington county 25 cents per acre and 12 cents to be paid when warrant issues. In all the rest of the State including even the city ot Baltimore 50 cents per acre and 24 cents to be paid at the time of obtaining the warrant.

For escheat lands, the Surveyor is required by law to value the lands and improvements on oath at the time of returning his certificate; one third of the value of the lands is deducted, and the purchaser pays two-thirds into the Treasury and the whole amount of the value of the improvements if any. I would suggest as the fairest way to equalize the value of these lands to the State and purchaser, that hereafter the value of all vacant lands should placed on a footing with escheated land, viz: the purchaser to be pay two-thirds of the value of the land and the whole value of improvements, to be ascertained by the oath of the Surveyor to be appended by him to the certificate at the time of its return to the land office; giving the power to the Commissioner of the land office to ascertain the true value if he should deem it necessary.

While upon this subject I would call your attention to the condition of the unrecorded certificates of survey in the land office and some of the record books. There are old bundles of unrecorded certificates of land, in every county of the State, many of them too much defaced now for record and all subject to some decay in time. These certificates are the foundation of title to all the lands covered by them and indeed contain the only evidence of title. If the holders of these lands can prove possession under Acts of Assembly for more than twenty years they can obtain the legal evidence of the lines only from these certificates.

Some of the old record books are so rotten from age that they cannot be handled without injury and in many cases can scarcely be copied. The State, having sold these lands and received the purchase money, is bound to give title when called on, and as matters now stand, this cannot be done in many cases, and the longer the recording these certificates is put off, the greater will be the number of such cases. This subject demands your early attention.

The report of the Commissioners appointed by the Legislature, under the third Article of the Constitution, Section 17, "to revise, simplify and abridge the rules of practice, pleadings and forms of

conveyancing, and proceedings of the Courts of Justice in this State," was completed during the recess of the Legislature, and will doubtless be submitted to your consideration at an early period. It appears to me, that the critical examination in detail of a work of this character, by your entire body, would be wholly impracticable, and I respectfully suggest that the most expedient mode of discharging your duty in relation to the subject matter of this report, would be to appoint a joint committee of competent professional men, whose skill and judgment, entitle them to your confidence, charged with the duty of making a mature and careful examination of the work referred to them, and to report to you the result of such examination at as early a day as practicable.— If this course be adopted, it is believed that a report from such a committee can be had, in ample time to enable you finally to dispose of this important subject, during the present session.

As required by the Acts of 1852, chapter 60, and chapter 275, I appointed a Commissioner on the part of this State, to act in conjunction with the Commissioner appointed by His Excellency the Governor of Virginia, in establishing the boundaries between the two States, in those Acts mentioned, and I regret to inform you that as yet nothing has been accomplished by that commission. The Act of the State of Virginia authorises the adjustment of one of those disputed boundaries only ; and the Maryland Commissioner being unwilling to enter upon the duty of establishing the one without at the same time settling the other, and the Legislature of this State having failed to make any provision for the payment of the necessary expenses of the commission, all operations under it have been suspended until further action with regard to it might be taken by the respective States. The Legislature of Virginia will, I have no doubt at its present session extend the authority of their Commissioner so as to allow of the establishing of both of the division lines between the two States now in controversy, and the duty devolves on you of making some suitable provision for defraying our proportional part of the necessary expenses of the survey. I have not at hand the means of furnishing you with an accurate estimate of what these expenses may be, but in the opinion of the Commissioner, they cannot be less than three thousand dollars. I suggest the appropriation of that sum, or so much thereof as may be neccssary, to carry on the work of the commission. The compensation of the Commissioner, as already provided, is to be fixed and paid by the Legislature after the service shall have been performed. The appropriation now asked for, is to meet the actual expense of the survey only. I commend this matter to your early attention as upon the settlement of these bounderies, depends the adjustment of many vexed questions between the citizes of the respective States, arising out of the conflict of jurisdiction, thus occasioned.

I have received the printed Journal of the proceedings of a Convention, composed of delegates from the thirteen original Uni-

ted States, convened in the city of Philadelphia, on the 6th July, 1852, to consider the propriety of erecting on "Independence Square," a Monument in Commemoration of the Declaration of American Independence; with a request that I would bring the subject to the attention of the Legislature of this State. Nine of the thirteen original States, having already determined to participate in the execution of this design, the object of this memorial is to obtain the co-operation of the entire number before the work is commenced.

The proposed Monument is intended to commemorate, in an enduring and appropriate form, the most important event in American history. I regard the movement as one emanating from elevated and patriotic motives, national in its aims, and entirely worthy of the co-operation of this State. Copies of this Journal, containing the Act of the General Assembly of Pennsylvania. the Report of the Committee, developing the plan of the Monument, and all other proceedings relative to this subject, have been sent to the Executive Department, and will be sent to your Honorable Bodies at an early day.

I herewith transmit, as required by the Constitution, a statement of the disbursements from the Executive Contingent Fund, for the last two years.

Thus far I have treated of such matters only, as possess an interest strictly local, and are confined to the limits of our own State. But before bringing this communication to a close, I should consider that I had failed to discharge a public duty, were I not to allude to a new element in the political controversies of the times, which in my opinion has already been productive of more baneful consequences, and has done more, to sever the ties, which should bind together our whole people, as one common brotherhood than any thing which has occurred, since the organization of our Government. I mean the formation and encouragement of secret political societies.

In this country the adoption of the veil of secrecy, as a means of accomplishing any political end, is, without any tenable ground of either justification or excuse. In other lands where despotism may assert its fearful and profligate dominion over mind; where to utter opinions distasteful to the Rulers for the hour, may be to hazard property, liberty or life, secret political combinations, may sometimes be resorted to, as a means of subverting the purposes of tyrants. Such, however, is not the condition of American citizens, nor can it be, so long as we are true to ourselves, and adhere to the faith and teachings of our fathers, and the Constitution, which is the work of their hands.

Here, the Press, that mighty weapon in the hands of a brave and virtuous people, is wholly unfettered. Thought and Speech, enjoy a scope and an immunity, limited only by that degree of personal liability, which, by a jury of his peers, may be visited upon him who ventures maliciously to libel or slander the fair

fame of his fellow. A thousand channels of communication with the people are always open, through which the humblest citizen may critcise public measures, and arraign before the tribunal of public opinion, the candidate for official station, or those to whom for the time being may be entrusted the management of the affairs of Government.

Thus much may be asserted, in relation to secret political associations upon the hypothesis, that the ends sought to be attained may be such as are warranted by the laws of the land, and by the spirit and character of our civil institutions. But how much more are they to be deprecated, when those purposes tend to the subversion of the well established and most dearly cherished principles of our Government, and to the establishment of rules for discriminating against large classes of citizens, not only unknown to the Federal Constitution and those of the several States, but plainly prohibited both by the letter and spirit of each and all of them.

The nature and character of the issues, too, to which these organizations have given rise, are such as must be deeply deplored by all who sincerely wish the permanent peace of the country.—The welfare of the Union depends so much upon the united affections and patriotism of the whole people, that any formidable effort "to render alien to each other those who ought to be bound together by fraternal affection," to segregate and divide them into clans or classes by a proposed exclusion from any righ tof citizenship, either on account of place of birth or religious opinion, must excite in every true patriot feelings of the most painful solicitude. All history admonishes us that a war of races and sects is the deadliest curse that can afflict a nation. Let us not turn a deaf ear to her warning voice, by countenancing those who may rashly involve us in both, in the effort to accomplish political ends, by appealing to a morbid and fanatical religious zeal, and thus stirring at their sources, the most ungovernable passions and prejudices of the human heart. Indeed it may require already a most vigorous exercise of public virtue to turn back the tide of evil flowing upon us, from an improvident introduction of religious issues into the field of political agitation and to restrain that proclivity to intolerance and proscription, which has recently been developed in different sections of the country. We should ever guard the perfect freedom of the citizen in matters of religious opinion, and the purity of the ballot-box as we would our honor, and resist every invasion of either as a blow aimed at the very corner-stone of our political edifice. If on the one hand we permit brute force to control the ballot-box, and violence to deter the quiet and peaceably disposed citizen from the exercise of his right of suffrage, or on the other, allow a citizen to be proscribed on account of his religious faith, we "poison the very fountain of public security," our Constitution becomes a solemn mockery and the Republic a cheat and a delusion, whose very essence is despotism.

I herewith transmit all the legislative resolves which, since your

last session, I have received from other States, with a request that I would lay them before you.

Some of these Resolutions verge so closely upon what may be termed an insolent interference with our domestic affairs, that my first impulse, on receiving them, was to doubt whether a proper regard for what was due to our own self-respect, did not require hat they should be sent back from whence they came, with an indignant refusal to be the means of communicating them to the Legislature of the State. Further reflection, however, and an anxious desire to allay, rather than aggravate (so far as any action of mine might be conducive to their end) the irritation, which the discussion of the topic, to which the objectionable resolutions relate, has already engendered, determined me to submit them to you for such action as in your judgments might seem to be proper.

But five years ago the agitation of this subject brought us to the very verge of disunion; from the terrible consequences of which we were only saved by that profound love of country which animated the hearts and directed the noble efforts of the choice spirits of both the national parties of the country, then in the Congress of the United States. These efforts resulted in the adjustment of this unhappy controversy, upon a basis to which we looked forward with a trusting faith to give quiet and repose to the country. In this, however, we have been doomed to experience a bitter disappointment, and I fear there is but little now in the past from which we can gather much of hope or encouragement for the future. The rapid settlement of the Territory which lies North of the line of the Missouri restriction rendered necessary the organization of Territorial Governments for that known as Nebraska and Kansas. The Act of Congress organizing these Territorial Governments, in perfect consistency with the principles of non-intervention established by the Legislation of 1850, known as the compromise measures, repealed the restriction imposed by the act admitting the State of Missouri into the Federal Union, by which slavery was prohibited in the Territory lying North of the parallel of 36 degrees, 30 minutes; thus denying to Congress the power of either establishing or prohibiting slavery beyond that line, and very properly leaving with the people by whom the country might be settled, the power of determining for themselves whether or not the institution of slavery should be recognized within the limits of the States to be formed out of those respective Territories. And yet this measure of simple justice to the South, removing an invidious distinction between the States of the Union, set up in flagrant disregard of the Constitution, and to which the South never should have assented, has been made the signal of renewed hostility and revolt; and the angry clouds that passed harmlessly from our political hemisphere before the awakened patriotism and wisdom of 1850, have returned upon us with a deeper and a darker tinge, threatening a crisis from the consequences of which

every friend and lover of our cherished Union shrinks with an instinctive dread. Indeed to such an extent have fanaticism and sectional resentment prevailed in some sections of the Union, that we have been made to witness the enactment of a law by a sovereign State, for the open and avowed purpose of resisting acts of Congress, passed in pursuance of the express terms of the Federal Constitution, and the necessity of enforcing such acts at the cannon's mouth by the strong arm of Federal power.

Such an event furnishes most unmistakable proof that we of the South have but little to expect but injustice and oppression from that fell spirit of abolition so busily engaged in shaping the legislation and inflaming the minds of the people of some of our sister States against their Southern neighbors. Hitherto its power for mischief has been held in checkb by those self-sacrificing and truly national men at the North, who standing upon the platform of the Constitution have nobly vindicated the equality of the States, and whose wisdom and patriotism have aided us in upholding the fabric of our Union. But should these dangerous spirits whose chief employment it is to array the North against the South, and to infuse into the minds of the people a restless spirit of contention and strife, peradventure obtain the ascendency in the National Councils we have great reason to fear that our blessed Union will prove to be put a rope of sand, and the Constitution which is the sacred bond of that Union, instead of being a protecting shield and a blessing to the people of the South, an instrument of undisguised tyranny.

The Territories of the United States are the common property of all the States; won by the common blood or purchased by the common Treasure of the Union, and to deny to the citizens of the Southern States the right of migrating thither, carrying with them their slave property, is to all intents and purposes, to refuse them admission altogether, and thus exclude them from an equal participation, with the people of the Northern States in the common blessings of the Confederacy.

Let the Territories be settled by the natural influx of emigration, and if those by whom they shall be thus settled, in their transition from the condition of Territorial communities to that of States, pass laws or ordain and establish Governments prohibiting slavery, the South ought to be and will be content.

The principle of the act organizing Territorial Governments for Nebraska and Kansas, is that which underlies and permeates our entire system of Government, namely, the right of the people to govern themselves, and to regulate for themselves, in their own way, their own local and domestic Institutions. This is the only principle that gives promise of permanent peace and tranquility to the country. It withdraws from the councils of the tion a most fruitful source of angry contention, and opens us the bright path of safety. It is the only princi-

this long vexed and most perplexing subject can be adjusted, and to which the South can submit without dishonor.

In any action you may deem it expedient to take in this behalf, let me admonish you that a spirit of moderation should preside over and guide your councils. The language of menace and bravado is in bad taste and never accomplishes any good. We of Maryland occupying the position of a border State, dwelling upon the dividing line between the two extremes of interest and opinion upon the subject of slavery, have an especial interest in desiring the adjustment of this unhappy source of popular discontent, upon a basis which will secure permanent tranquility. While, therefore, we should express calmly and clearly our opinions as to the issues thus unfortunately forced upon us, and make no concealment of our resolution to maintain the rights of the States under the Constitution, against any infraction, we should carefully abstain from the use of language calculated to irritate and inflame those who may differ with us in opinion or to impair those fraternal ties which should bind in perpetual unity and concord the people of the respective States. Let wild and unprincipled fanatics, wherever found, endanger the continuance of the Union, if they will, by ceaseless agitation until the last vestige of friendly relationship and brotherly regard may be swept away. But let ours be the more grateful task to cast oil upon the elements of destruction, and if that dark day shall ever dawn which shall witness the downfall of this, the most glorious fabric of Government the wisdom of man has ever contrived, no share in the sin of so great a calamity to the cause of freedom throughout the world, can be laid at our door.

I have thus submitted for your consideration such measures as, in my judgement, are necessary and proper for the advancement of the public interests. Permit me, in conclusion, to express the hope, that your deliberations may be conducted in a spirit of harmony and patriotism, and may be productive of results alike honable to yourselves and creditable to the State.

T. WATKINS LIGON.

EXECUTIVE DEPARTMENT,
*January 2nd*, 1856.

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